

IN THE HIGH COURT OF JUDICATURE AT JABALPUR (M.P.)

W.P.No. 5832/2000

Petitioner : Shri Dinesh Kumar Shrivastava,  
Aged 40 years, S/o Raja Ram Shrivastava,  
Adhikari, Durg Rajnandgaon Gramin Bank,  
Gram Dondi Block Dondi, Distt. Durg M.P.  
Pin Code 491230.

Versus.

Respondents : 1. Chairman,  
Durg Rajnandgaon Gramin Bank,  
G.E. Road, Rajnandgaon.  
2. Branch Manager,  
Durg Rajnandgaon Gramin Bank,  
Branch Dondi, Tahsil Dondi, Distt. Durg.

Writ petition under Article 226/227 of the  
Constitution of India.

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.5832 OF 2000

Petitioner : Shri Dinesh Kumar Shrivastava

versus

Respondents : Chairman, Durg Rajnandgaon  
Gramin Bank and another

Present : None appears for the petitioner.  
None appears for the respondents.

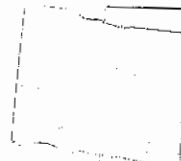
ORDER

(Passed on 19<sup>th</sup> Day of February, 2007)

The petitioner, while working as officer in Durg - Rajnandgaon Gramin Bank at Dondi Branch has been transferred in the same capacity to Dalli Rajhara Branch of the said Bank, at his own request, vide order dated 29-2-2000 (P-1), but the same is not being executed despite several requests made to the respondents.

2. No stay order was granted by this Court in this matter. The transfer order dated 29-2-2000 (P-1) must have been executed by the respondents.

3. Be that as it may, with the passage of time, this petition has become infructuous as period of transfer is not applicable forever. At this point of time, there is no question to examine the validity of the



impugned transfer order. However, the respondents are at liberty to pass appropriate orders keeping in view the public interest and administrative exigency, without insisting on compliance of the impugned transfer order.

4. It is well settled principle of law that transfer is an incident of service and it is for the employer to decide as to where a particular officer/employee be posted keeping in view public interest as well as administrative exigency. This Court has limited jurisdiction to interfere in the transfer matter and this Court can interfere only in the case of proved *mala fide*, non-competence of authority passing the transfer order and transfer order not being in conformity with the rules and regulations.

5. In view of the above, this petition stands disposed of. No order as to costs.

Sd/-  
Satish K. Agnihotri  
Judge